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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

10 MARK T. MURRAY,

11 Plaintiff,

12 v.

13 DAVID CHRISTENSEN, *et al.*,

14 Defendants.

15 Case No. C04-5758FDB

16 ORDER ADOPTING REPORT &  
17 RECOMMENDATION AND  
18 DENYING MOTION FOR  
19 TEMPORARY RESTRAINING  
20 ORDER

21 On May 31, 2005, the Court adopted the Report and Recommendation. Plaintiff then moved  
22 for relief from judgment on November 1, 2005 owing to the number of moves he had made and the  
23 fact that his mail was not forwarded. Plaintiff's motion was granted, and he was given a new date to  
24 file objections to the Report and Recommendation. Plaintiff timely filed objections to the R&R as  
25 well as a Motion for Temporary Restraining Order, and a reply to Defendants' motion for summary  
judgment.

26 Considering Plaintiff's responses as his objections to the R&R, the Court concludes that the  
27 Order adopting the Report and Recommendation must stand. Plaintiff's arguments present general  
28 legal principles and his bare factual assertions, and these are insufficient to rebut the conclusions  
29 presented by the Magistrate Judge.

30 ORDER - 1

1 ACCORDINGLY, IT IS ORDERED:

2 1. The Court reaffirms its Order Adopting the Report and Recommendation [Dkt. # 27];  
3 2. Plaintiff's Motion for a Temporary Restraining Order [Dkt. # 39] is DENIED.

4 DATED this 6<sup>th</sup> day of February, 2006.

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6 FRANKLIN D. BURGESS  
7 UNITED STATES DISTRICT JUDGE  
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